

dissipated by the necessity of considering from time to time matters of little or no substantive relationship to each other.

(2) The specific identification of subcommittees with subject areas enhances the ability of the public in general, and interested individuals and organizations in particular, to recognize and monitor congressional activities on matters of public concern.

(3) The investing of subcommittees with specified jurisdiction assists new members of the committee in obtaining assignment to those subcommittees which consider matters of interest and concern to them.

Historical Background of the Subcommittees

Subcommittee on Immigration, Refugees, and International Law

(formerly Subcommittee No. 1—Immigration and Nationality)

ROMANO L. MAZZOLI, Kentucky, *Chairman*

SAM B. HALL, Jr., Texas
PATRICIA SCHROEDER, Colorado
BARNEY FRANK, Massachusetts

HAMILTON FISH, Jr., New York
DAN LUNGREN, California
BILL MCCOLLUM, Florida

Prior to the Legislative Reorganization Act of 1946, jurisdiction over immigration and naturalization matters was divided. On August 18, 1893, a Committee on Immigration and Naturalization had been established as a standing committee, and before that it had functioned as a select committee. At that time, the Immigration and Naturalization Committee exercised a general, but not an exclusive, jurisdiction over the subject of immigration. In 1882 (47th Cong., 2d sess.), for example, the President's message concerning "the construction of the law restricting immigration of laborers from China," was referred to the Judiciary Committee. The Committee on Immigration and Naturalization was given exclusive jurisdiction over the subject of naturalization in 1906. In 1946, all authority over immigration and naturalization was transferred to the Judiciary Committee and since that time has been a primary responsibility of its members.

When the subcommittees were titled after the 1973 reorganization, subcommittee No. 1 was named Subcommittee on Immigration, Citizenship, and International Law with jurisdiction over:

- (a) Immigration and naturalization.
- (b) Deportation, extradition, and crimes committed outside the United States.
- (c) Passports, travel, and international compacts and organizations.
- (d) Admiralty matters.
- (e) Treaties.
- (f) Offshore mineral rights.
- (g) Grand jury matters.
- (h) Oversight of the Immigration and Naturalization Service.

In 1978, prior to the beginning of the 96th Congress, the subcommittee was renamed the Subcommittee on Immigration, Refugees and International Law. This change reflected the fact that following

the evacuation of Saigon in 1975, refugee matters (particularly involving Southeast Asian refugees) had occupied a preponderance of the subcommittee's time. In recent years, the subcommittee has, in addition to refugees and the subjects mentioned above, handled prisoner exchange treaties, the investigation of Nazi war criminals living in the United States, the legal aspects of international agreements, and seabed boundary issues. Grand jury jurisdiction is no longer in this subcommittee, having been transferred to the Subcommittee on Criminal Justice in 1981.

Subcommittee on Administrative Law and Governmental Relations

(formerly Subcommittee No. 2—Claims)

GEORGE E. DANIELSON, California, *Chairman*

MIKE SYNAR, Oklahoma
BILLY LEE EVANS, Georgia
DAN GLICKMAN, Kansas

CARLOS J. MOORHEAD, California
THOMAS N. KINDNESS, Ohio
ROBERT McCLORY, Illinois

Prior to January 2, 1947, claims against the United States were handled by a separate standing committee. The Committee on Claims had been organized in 1794 and was the second oldest standing committee of the House. (The Elections Committee, the oldest standing committee, had been established in 1789.)

The Committee on Claims had jurisdiction over all "matters or things touching claims and demands on the United States." In the revision of 1880 the form of the rule was fixed to provide for the referral to the Committee on Claims of subjects relating to private and domestic claims, and demands other than war claims, against the United States.

By the Legislative Reorganization Act of 1946, the Committee on Claims was abolished and its jurisdiction transferred to the Judiciary Committee. Since that time a subcommittee of the Judiciary Committee has devoted a substantial portion of its time to processing public and private claims bills.

Following the 1973 reorganization, Subcommittee No. 2 was named the Subcommittee on Claims and Governmental Relations with jurisdiction over the following subjects:

- (a) Claims against the United States.
- (b) Governmental relations, including boundaries, interstate compacts, and State taxation of interstate commerce.
- (c) Conflicts of laws.
- (d) Administrative law and rules of administrative procedure.
- (e) Lobbying and lobby disclosure.
- (f) Appropriate oversight, including the administrative procedures and practices of departments and regulatory agencies; the functioning of the Court of Claims Section and the Tort Claims Section (now the Commercial Branch and the Torts Branch) of the Civil Division of the Justice Department.
- (g) Ethics.

Following the 93d Congress, the subcommittee was renamed the Subcommittee on Administrative Law and Governmental Relations. While its basic jurisdiction has remained essentially unchanged since the 1973 reorganization, its emphasis, on the administrative side, has been on administrative law, including legislation relating to administrative practice and procedure, and judicial review of agency action, including amendments to the Administrative Procedures Act as now codified in Title V of the United States Code. Its jurisdiction has also evolved to include public contract law and financial disclosure.

Subcommittee on Courts, Civil Liberties and the Administration of Justice

(formerly Subcommittee No. 3—Patents, Trademarks, Copyrights, and Revision of the Laws)

ROBERT W. KASTENMEIER, Wisconsin, *Chairman*

JACK BROOKS, Texas

GEORGE E. DANIELSON, California

BARNEY FRANK, Massachusetts

TOM RAILSBACK, Illinois

HAROLD S. SAWYER, Michigan

M. CALDWELL BUTLER, Virginia

The work of this subcommittee has its roots in two standing committees with long histories. On September 15, 1837, in the first session of the 25th Congress, Congress "raised" a Committee on Patents, with jurisdiction at that time confined to patents alone. Jurisdiction over copyrights and trademarks was added on motion of Mr. John S. Newberry, of Michigan, in the second session of the 46th Congress.

A standing Committee on the Revision of Laws was created on July 25, 1868, and in 1880 its jurisdiction was fixed "to the revision and codification of the statutes of the United States." Prior to its establishment as a standing committee, it had operated as a select committee. The Committee on the Revision of Laws replaced an old standing committee that had become obsolete; in the early years of the Republic, the Revisal and Unfinished Business Committee, established in 1795, had been useful to give continuity to business that had not been completed during the previous session. At that time business unfinished fell with the end of the session.

In the Reorganization Act of 1946, the jurisdictions of both the Committee on Patents and the Committee on the Revision of Laws¹² were transferred to the Judiciary Committee.

¹² On January 3, 1975, House Resolution 988 established the "Office of the Law Revision Counsel" as a separate entity. The Rules of the House, however provided for continued close cooperation with the Committee on the Judiciary. The purpose and function of the Office as set forth in the House Rules and Manual, 94th Congress, state:

OFFICE OF THE LAW REVISION COUNSEL

SEC. 205. (a) There is established in the House of Representatives an office to be known as the Office of the Law Revision Counsel, referred to hereinafter in this section as the "Office".

(b) The principal purpose of the Office shall be to develop and keep current an official and positive codification of the laws of the United States. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House.

(c) The functions of the Office shall be as follows:

(1) To prepare and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Con-

Although the Office of Law Revision Counsel was established as a separate entity in 1975 (see footnote 12), it still functions in close cooperation with the Judiciary Committee, which is responsible for processing the legislation this office prepares. The law revision staff classifies all laws enacted by the Congress and undertakes codification of specific areas of the law. After a law is enacted, it is assigned to a specific title and section of the United States Code or District of Columbia Code. There is in process a program of enacting titles of the United States Code and the District of Columbia Code into positive law, rather than merely *prima facie* evidence of the law. The goal of the Judiciary Committee is to prepare all titles of the United States Code and the District of Columbia Code for enactment into positive law.

When Subcommittee No. 3 was titled in 1973, its jurisdiction was fixed to include the following subjects:

- (a) The courts—their noncriminal rules, noncriminal procedures, operation, except authorization for additional judgeships.
- (b) U.S. attorneys, U.S. marshals.
- (c) Corrections, parole.
- (d) Amnesty.
- (e) Judicial ethics and recompense.

gress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.

(2) To examine periodically all of the public laws enacted by the Congress and submit to the Committee on the Judiciary recommendations for the repeal of obsolete, superfluous, and superseded provisions contained therein.

(3) To prepare and publish periodically a new edition of the United States Code (including those titles which are not yet enacted into positive law as well as those titles which have been so enacted), with annual cumulative supplements reflecting newly enacted laws.

(4) To classify newly enacted provisions of law to their proper positions in the Code where the titles involved have not yet been enacted into positive law.

(5) To prepare and submit periodically such revisions in the titles of the Code which have been enacted into positive law as may be necessary to keep such titles current.

(6) To prepare and publish periodically new editions of the District of Columbia Code, with annual cumulative supplements reflecting newly enacted laws, until such time as the District of Columbia Self-Government and Governmental Reorganization Act becomes effective.

(7) To provide the Committee on the Judiciary with such advice and assistance as the committee may request in carrying out its functions with respect to the revision and codification of the Federal statutes.

(d) The management, supervision, and administration of the Office are vested in the Law Revision Counsel, who shall be appointed by the Speaker without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(e) (1) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Law Revision Counsel shall appoint such employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Law Revision Counsel with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(2) (A) One of the employees appointed under paragraph (1) shall be designated by the Law Revision Counsel as Deputy Law Revision Counsel. During the absence or disability of the Law Revision Counsel, or when the office is vacant, the Deputy Law Revision Counsel shall perform the functions of the Law Revision Counsel.

(B) The Law Revision Counsel may delegate to the Deputy Law Revision Counsel and to other employees appointed under paragraph (1) such of his or her functions as he or she considers necessary or appropriate.

(f) The Law Revision Counsel shall be paid at a per annum gross rate not to exceed level IV of the Executive Schedule of section 5315 of title 5, United States Code; and members of the staff of the Office other than the Law Revision Counsel shall be paid at per annum gross rates fixed by the Law Revision Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of a per annum gross rate equal to level V of such schedule.

(g) In accordance with policies and procedures approved by the Speaker, the Law Revision Counsel is authorized to make such expenditures as may be necessary or appropriate for the functioning of the Office.

(h) Until such time as funds are appropriated by law to carry out the purpose of this section, the contingent fund of the House shall be available for such purpose.

- (f) Legal services.
- (g) Patents, trademarks, copyright.
- (h) Oversight of the National Legal Services Corporation, the Federal Bureau of Prisons, the U.S. Copyright Office, the U.S. Patent Commission and the Administrative Office of the U.S. Courts.

As the jurisdiction of this subcommittee has evolved since 1973, much of its emphasis has been on First and Fourth Amendment matters, including obscenity, newsman's privilege, and church-state issues, as well as foreign intelligence surveillance and wiretapping and electronic surveillance generally. Another major area of subcommittee interest has been financing legal services and the costs of litigation and consideration of attorney's fees. Finally, the justice-related aspects of amnesty and selective service have occupied the subcommittee's time as well.

Subcommittee on Civil and Constitutional Rights

(formerly Subcommittee No. 4—Bankruptcy and Reorganization)

DON EDWARDS, California, *Chairman*

ROBERT W. KASTENMEIER, Wisconsin	HENRY J. HYDE, Illinois
PATRICIA SCHROEDER, Colorado	F. JAMES SENSENBRENNER, JR., Wisconsin
HAROLD WASHINGTON, Illinois	DAN LUNGREN, California

While the primary areas of jurisdiction of this subcommittee today are civil rights and liberties and constitutional amendments, initially much of its work concerned bankruptcy.

Jurisdiction over matters pertaining to bankruptcy and corporate reorganization traditionally have been within the responsibilities of the Judiciary Committee. As early as January 5, 1841, the Judiciary Committee had reported out a bankruptcy bill.¹³ Since that time legislation concerning bankruptcy has been an important jurisdictional area of the committee.

When the subcommittees were reorganized in 1973, the following jurisdiction was assigned to the Subcommittee on Civil and Constitutional Rights:

- (a) Constitutional amendments.
- (b) Civil rights.
- (c) Privacy matters.
- (d) District of Columbia home rule.
- (e) Separation of powers.
- (f) Bankruptcy.
- (g) Oversight of the Civil Rights Division of the Justice Department.
- (h) Oversight of the Federal Bureau of Investigation of the Justice Department.

At the beginning of the 97th Congress, jurisdiction over bankruptcy matters was transferred from this subcommittee to the Subcommittee on Monopolies and Commercial Law.

¹³ Congressional Globe, vol. 9, No. 5, Jan. 5, 1841, 26th Cong., 2d sess., p. 65.

Subcommittee on Monopolies and Commercial Law

(formerly Subcommittee No. 5—Antitrust)

PETER W. RODINO, Jr., New Jersey, *Chairman*

JACK BROOKS, Texas
DON EDWARDS, California
JOHN F. SEIBERLING, Ohio
ROMANO L. MAZZOLI, Kentucky
WILLIAM J. HUGHES, New Jersey
BILLY LEE EVANS, Georgia

ROBERT McCLORY, Illinois
M. CALDWELL BUTLER, Virginia
TOM RAILSBACK, Illinois
CARLOS J. MOORHEAD, California
HENRY J. HYDE, Illinois

The core jurisdiction of this subcommittee involves subjects dealing generally with economic regulation, with particular emphasis on amendments to, and administration of, the antitrust laws.

This subcommittee is active in connection with the Judiciary Committee's mandate to protect trade and commerce against unlawful restraints and monopolies. The basic charter of the antitrust laws, the Sherman Act of 1890, was processed through the Judiciary Committee and reported to the House on April 25, 1890.¹⁴ Similarly, supplemental legislation to amend or to reinforce the provisions of the Sherman Act has been handled by the Judiciary Committee.¹⁵

A second area of major emphasis of the subcommittee is judgeships. The operation of the Federal judicial system has been of principal concern to the Judiciary Committee since its organization in 1813. This jurisdiction has involved legislative provision for growth and improvement of the Federal judicial system; authorization of additional district and circuit judges, as well as additional places where terms of court may be held. Provision has been made for effective administration of the judicial system through legislation to provide salary increases for Federal judges, U.S. attorneys and other court officials, as well as increases in fees for witnesses, jurors, and U.S. marshals and their deputies.

At the time of the reorganization of the Judiciary Committee in 1973, the Subcommittee on Monopolies and Commercial Law was given jurisdiction over:

- (a) Antitrust.
- (b) Monopolies.
- (c) Judgeships.

(d) Oversight over the Antitrust Division of the Justice Department.

In 1981, at the beginning of the 97th Congress, responsibility for matters involving bankruptcy was transferred to this subcommittee from the Subcommittee on Civil and Constitutional Rights.

¹⁴ 51st Cong., 1st sess., Congressional Record, pp. 3326 and 3857, Apr. 11 and Apr. 25, 1890.

¹⁵ Clayton Act, H. Rept. 627, Public Law 212, 63d Cong. (1911); Celler-Kefauver Act, H. Rept. 1191, Public Law 899, 81st sess. (1950). (See also "The Antitrust Laws—A Basis for Economic Freedom", Staff Report, Committee on the Judiciary, House of Representatives, 88th Congress, 2d Session, January 1965.)

Subcommittee on Crime

WILLIAM J. HUGHES, New Jersey, *Chairman*

ROBERT W. KASTENMEIER, Wisconsin	HAROLD S. SAWYER, Michigan
JOHN CONYERS, Jr., Michigan	JOHN M. ASHBROOK, Ohio
SAM B. HALL, Jr., Texas	HAMILTON FISH, Jr., New York

On June 10, 1973, following the reorganization based on the *ad hoc* subcommittee proposals, the Subcommittee on Crime was established as a standing subcommittee of the Judiciary Committee. Its jurisdiction included, but was not limited to:

- (a) Gun control and firearms legislation.
- (b) Juvenile delinquency.
- (c) Oversight of the Law Enforcement Assistance Administration (LEAA) of the Justice Department.

Since its creation, the Subcommittee on Crime has continued to exercise jurisdiction over the prevention of crime and problems of criminal offenders, and additionally has undertaken jurisdiction over criminal law enforcement of the Controlled Substances Act and oversight of the Drug Enforcement Administration (under an agreement with the Energy and Commerce Committee reached in the 96th Congress). It also has assumed jurisdiction over separate legislation creating new Federal crimes such as cigarette bootlegging and child pornography.

Subcommittee on Criminal Justice

JOHN CONYERS, Jr., Michigan, *Chairman*

DON EDWARDS, California	F. JAMES SENSENBRENNER, Jr., Wisconsin
JOHN F. SEIBERLING, Ohio	THOMAS N. KINDNESS, Ohio
SAM B. HALL, Jr., Texas	BILL MCCOLLUM, Florida

The creation of the Subcommittee on Criminal Justice as a standing subcommittee of the Judiciary Committee in June 1973 was also the result of recommendations by the *ad hoc* subcommittee examining reorganization. The Criminal Justice Subcommittee's jurisdiction was fixed to include:

- (a) Revision of the U.S. criminal code.
- (b) Victims of crime legislation.
- (c) Criminal justice generally, including Federal Rules of Evidence and Criminal Procedure, bail, Criminal Justice Act of 1964.
- (d) Oversight of the Criminal Division of the Justice Department.

In the fall of 1973, the subcommittee was also given jurisdiction over matters pertaining to the office of special prosecutor.

In recent years, the subcommittee's jurisdiction has extended to oversight of the criminal enforcement activities of U.S. Attorneys. Additionally, responsibility for matters involving amendments to the Federal Rules of Civil Procedure was transferred to this subcommittee from the Subcommittee on Courts, Civil Liberties, and the Administration of Justice in 1974, and responsibility for matters involving grand juries was transferred to this subcommittee from the Subcommittee on Immigration, Refugees, and International Law in 1981.